

# **Notice of Allowability**

Application No.	Applicant(s)	
09/808,703	SQUIRES, TROY	
Examiner	Art Unit	
Abraham Bahla	1775	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 12/24/03
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 03/14/01 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted:
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached:
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
 Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
 Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

DEBORAH JONES  
 SUPERVISORY PATENT EXAMINER

***Allowable Subject Matter***

The Appeal Brief filed on December 12, 2003 has been considered and is persuasive.

Claims 1-20 are allowed.

The following is Examiner's reasons for allowance: The closest prior art is EP 452,529 which teaches an artificial turf system comprising a base and a turf assembly wherein the turf assembly includes a permeable turf comprised of grass-like plastic blades knitted or otherwise attached to a backing sheet; an impermeable layer comprised of a sheet or geomembrane of impervious material such as polyethylene, polypropylene, polyvinyl chloride disposed upon the base layer; a drainage layer disposed upon the impermeable layer wherein the drainage layer comprises vertical perforations for adequate drainage of water but fails to teach or suggest the inclusion of a moisture barrier layer as claimed.

Nussbaumer (USP 4,768,897) teaches a multi layer plate for use in covering waste depositories, comprising at least one drainage layer and a filter stabilization layer, the drainage layer serving to facilitate or enable the removal of water seeping downwardly from the surface of the depository covering.

Friedrich (USP 4,444,815) teaches a ground covering comprising water permeable filter mat impervious to granular material which is bonded to the underside of a water permeable artificial grass wherein water may drain immediately through the artificial grass and the filter matt to the underside of the ground covering.

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The references, alone or in combination, are not seen to teach an artificial turf system comprising a base and turf assembly wherein the base includes a drainage system and the turf assembly includes an impermeable moisture barrier layer that is laid upon the base in such a manner that fluid may pass to the base only at predetermined locations that correspond to the drainage mechanism.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abraham Bahta whose telephone number is (571) 272-1352. The examiner can normally be reached on Monday - Friday, 11:30 am - 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A. Bahta  
04/01/04



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